

#### REMARKS

In the outstanding official Action, claims 15 and 16 were allowed, while claims 1 and 9 were rejected under 35 USC §103(a) as being unpatentable over Yanagawa in view of Han et al, with claim 8 being rejected under 35 USC §103(a) as being unpatentable over the aforementioned references, and further in view of Letavic et al, all for the reasons of record. Additionally, claim 1 was objected to due to the noted informality in the claim language.

In order to place the instant application in better condition for allowance, claim 1 has been amended to correct the noted informality, and also to recite the present invention in more positive and precise language (more similar to the allowed claims) in order to more clearly and positively distinguish the instant invention over the cited and applied references. It is respectfully submitted that the currently-pending claims, as herein amended, are clearly patentably distinguishable over the cited and applied art, for the reasons detailed below.

In the Action, it was admitted that the primary reference, Yanagawa, does not teach a breakdown voltage difference due to a difference in field plate length. However, it was suggested that Han, in Figs. 1 and 6, shows that a difference in field plate length can affect the breakdown voltage and therefore it was suggested to be obvious to have incorporated the teachings of Han

into Yanagawa's device to vary the length of the field plate to achieve a desired breakdown voltage.

In response, it is respectfully submitted that the Yanagawa device not only does not specifically teach a breakdown voltage due to a difference in field plate length as admitted in the Action, but in fact does not show or suggest the use of field plates at all. Referring to both the Yanagawa reference and the corresponding US patents, it is clear that the regions 7 and 17 in Yanagawa are merely conventional gate electrode connections, and not field plates. Furthermore, it is respectfully submitted that no such field plates are required for Yanagawa to operate.


Accordingly, absent the benefit of impermissible hindsight derived from the instant disclosure, there is no motivation whatsoever for one of ordinary skill in the art to look to another reference such as Han which employs field plate technology.

In order to more clearly and precisely recite the aforementioned distinction, claim 1 is herewith amended to positively and recite that both the first transistor portion and the second diode portion of the recited device have field plates, and that the breakdown voltage difference achieved by the claimed device is due to the difference in field plate length between these field plates. Clearly, such a structure as now more clearly and precisely claimed is neither shown nor suggested by the cited and applied references.



In view of the foregoing, it is respectfully submitted that claim 1, as herein amended, and the remaining claims depending therefrom, are clearly patentably distinguishable over the cited and applied references, and favorable consideration is earnestly solicited.

Respectfully submitted,

By   
Steven R. Biren, Reg. No. 26,531  
Attorney  
(914) 333-9630

**CERTIFICATE OF MAILING**

It is hereby certified that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:

COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

On 1/23/04

By   
Steven R. Biren, Reg. No. 26,531